IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7246 OF 2006

Ankush Narayan Beturkar. .. Petitioner.

vs.

Kalyan Dombivali Mun.
Corporation. . .. Respondent.

Mr. S.M. Kamble for petitioner.
Mr. A.S. Rao for Respondent.

CORAM : A.P. DESHPANDE, J.

DATE : 24th November, 2006.

P.C.

. The present petitioner is original plaintiff who instituted a suit for declaration and perpetual injunction and moved an application for temporary injunction therein. The trial Court granted the application and restrained the respondent from interfering with the possession of the suit property and from demolishing the compound wall. In a Misc. Civil Appeal preferred by the respondent the order of the trail Court came to be reversed and the application for temporary injunction rejected. Hence, this writ petition.

2. This Court while issuing notice had directed the parties to maintain status quo which is operating since 25.10.2006. Both the learned advocates appearing for respective parties submit that if the trial Court is directed to decide the suit within six months and if the order of status quo is permitted to operate till the decision of the suit, both the parties are agreeable for this course being adopted.

3. In the result, on the concession made by the learned Advocates for the respective parties, I dispose of the writ petition by directing the trial Court to decide the suit as expeditiously as possible and at any rate within a period of six months from today. It is made clear that the order of status quo passed by this Court on 25.10.2006 shall hold the field till the suit is decided by the trial Court.

4. Writ petition is disposed of accordingly. No order as to costs.

(A.P. Deshpande, J.)